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DATE: May 2, 2006

PTO IDENTIFIER: Application Number 10/644,617-Conf. #5983  
Patent Number

Inventor: Walter Rittendorf et al.

MESSAGE TO: US Patent and Trademark Office and Examiner R. Gitomer

FAX NUMBER: (571) 273-8300 and (571) 273-0916

FROM: FULBRIGHT & JAWORSKI L.L.P.

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Attorney Dkt. #: NY-BOER 778.4-REI (09908693)

PAGES (Including Cover Sheet): 4

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Certificate of Transmission (1 page)

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BOER 778.4-REI-US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Reissue Application of:

Walter Rittersdorf, et al.

Group Art Unit: 1655

Reissue of U.S. Patent No.: 6,171,849

Examiner: R. Gitomer

Date of Patent: January 9, 2001

For: METHOD FOR THE DETERMINATION OF  
HDL CHOLESTEROL BY MEANS OF A  
RAPID DIAGNOSTIC AGENT WITH AN  
INTEGRATED FRACTIONATING STEP

**SECOND SUPPLEMENTAL REISSUE DECLARATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The undersigned, being the authorized representative of inventors of subject matter claimed in U.S. Patent No. 6,171,849 B1 and of the subject matter claimed in the subject reissue application as filed herewith, believes that the named inventors are the original and first inventors of the subject matter which is claimed and for which a patent is sought.

1. He verily believes that the above identified patent is wholly or partly inoperative or invalid by reason of the fact that a priority claim under 35 U.S.C. § 120 to which we are entitled was not made.

2. Specifically, the application should claim priority of application Serial No. 08/384,046, filed February 6, 1995, now U.S. Patent No. 5,580,743, which is a divisional of application Serial No. 07/572,875, filed August 24, 1990, now U.S. Patent no. 5,426,030; and German patent application DE 39 29 032, filed September 1, 1989.

BOER 7784-REI-US

3. He acknowledges the duty to disclose any information of which he or the inventors is aware is material to the examination of this application and its patentability as defined by 37 C.F.R. §1.56.

4. He has all read and understood the content of the above-identified application, including the amendment and claims, submitted concurrently with this declaration, and the originally filed, Supplemental Reissue Declaration.

5. He hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

6. Every error in the patent which was corrected in the present reissue application and is not covered in the prior declaration submitted in the application, arose without any deceptive intention on the part of applicants.

Respectfully submitted,

By Norman D. Hanson

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PTO/SB/97 (09-04)

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Application No. (if known): 10/644,617

Attorney Docket No.: NY-BOER 778.4-REI

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on May 2, 2006  
Date

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Fani Malikouzakis

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Second Supplemental Reissue Declaration